

**MATTER OF WIGHTON**  
**In Exclusion Proceedings**  
**A-11157823**

*Decided by Board September 4, 1970 and March 19, 1971*

A native and citizen of Canada who was admitted to the United States for permanent residence in 1959 but who lived in Canada and commuted daily to the United States to work until he voluntarily terminated his employment in November 1968, after which he obtained a job in Canada for approximately a year, lost his commuter status because of a break in his United States employment of more than 6 months, notwithstanding entries into this country in the interim and his allegation that he had no intention of abandoning his permanent resident status in the United States.

**EXCLUDABLE:** Act of 1952—Section 212(a) (20) [8 U.S.C. 1182(a) (20)]—Immigrant without valid immigrant visa.

**ON BEHALF OF APPLICANT:**  
David I. Rosin, Esquire  
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(Brief filed)

**ON BEHALF OF SERVICE:**  
Adolph F. Angelilli  
Trial Attorney  
(Brief filed)  
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**BEFORE THE BOARD**  
**(September 4, 1970)**

This is an appeal from the decision of the special inquiry officer who ordered that the applicant be excluded and deported from the United States. The applicant applied for admission to the United States at Detroit, Michigan on November 20, 1969 as a returning resident alien and presented an alien registration receipt card (Form I-151) which had been issued to him when he first entered the United States as an immigrant on August 12, 1959. He was excluded and deported pursuant to section 212(a) (20) of the Immigration and Nationality Act, as an immigrant not in possession of a valid unexpired immigrant visa or other valid entry document as required by section 211(a) of the Act.